

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:	Mjalli et al.
Application No.:	10/777,488
Filing Date:	February 12, 2004
Atty Docket No.	2002-08-US-A
Examiner:	Laura Lynne Stockton
Group Art Unit:	1626

Confirmation No.: 2347

Title: Substituted Azole Derivatives as Therapeutic Agents

Commissioner of Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Request for Extension of Time under 37 C.F.R. § 1.136(a)

Sir:

The Applicants submit herewith Form SB/22, which petitions the Office for a four-month extension of time for filing an appeal brief in the present application. With this extension of time, the appeal (and the application itself) will remain pending at least through December 15, 2010.

On April 21, 2010, the Applicants filed a Notice of Appeal accompanied by a Request for a Pre-Appeal Brief Review. On July 15, 2010, the Office mailed its Decision resulting from the Pre-Appeal Brief Review. The Decision stated that “[t]he time period for filing an appeal brief will be reset to be one month from mailing this decision, or the balance of the two-month time

period running from the receipt of the notice of appeal, whichever is greater.” Thus, the Decision reset the deadline for filing an appeal brief to August 15, 2010. The Decision further noted that this reset deadline is extendible under 37 C.F.R. § 1.136.

With the presently requested four-month extension of time, the appeal (and the application itself) will remain pending at least through December 15, 2010. Therefore, any continuation or divisional application filed on or before December 15, 2010 may properly claim priority to the present application under 35 U.S.C. § 120 (as long as any other requirements for perfecting a claim of domestic priority are satisfied).

Please note that a Power of Attorney was filed by facsimile in the present application on November 24, 2010, granting express power of attorney to the practitioners associated with Customer Number 78629, which includes the undersigned.

Respectfully submitted,

Date: December 1, 2010

/Robert S. Dailey/

Robert S. Dailey, Reg. No. 60,753

TransTech Pharma, Inc.
4170 Mendenhall Oaks Parkway
High Point, North Carolina 27265
(336) 841-0300 x163